

DATE: 3/24/2008CASE NUMBER: 08-15498-001M-SD**CLOSED****PLEA/SENTENCING MINUTES**USA vs. Telesforo Manuel Alvarado-QuinteroU.S. MAGISTRATE JUDGE: JAY R. IRWIN Judge #: 70BKU.S. Attorney \_\_\_\_\_ INTERPRETER REQ'D Ricardo GonzalezAttorney for Defendant Matthew Johnson (AFPD) LANGUAGE: SpanishDEFENDANT:  PRESENT  NOT PRESENT  RELEASED  CUSTODYDOA 3/18/08 Complaint Filed Appointment of counsel hearing held Financial Afdvt taken No Financial Afdvt taken Financial Afdvt sealed Initial Appearance**DETENTION HEARING:**Set for: before:  Held  Cont'd  Reset  UA Defendant ordered temporarily detained in the custody of the United States Marshal Defendant ordered released (see order setting cond of rel)  Bail set at \$ \_\_\_\_\_ Defendant continued detained pending trial  Flight Risk  Danger**PLEA HEARING:**Set for: before:  Held  Cont'd  Reset Consent to be tried by a Magistrate Judge signed  Class A Misd  Class B Misd  Class C Misd Consent of Defendant  Information filed \_\_\_\_\_  Complaint filed \_\_\_\_\_ Defendant sworn and examined by the Court  Plea of Guilty  Not Guilty  Entered to Counts ONE Defendant states true name to be \_\_\_\_\_. Further proceedings ORDERED in defendant's true name. Plea of Guilty entered as to Ct(s) ONE of the  Information  Indictment  Complaint Court recommends/or accepts defendant's plea and finds plea to be freely and voluntarily given. Plea agreement:  Lodged  Filed  Sealed Court does not accept defendant's plea of guilty because \_\_\_\_\_ PSI ORDERED  EXPEDITED  PSI waived  Time waived for passage of sentence Continued for sentence to \_\_\_\_\_ before \_\_\_\_\_ To be dismissed upon entry of the judgment, Ct(s) \_\_\_\_\_ ORDER vacate trial date/motion hearing/mtns moot ORDER defendant remain released pending sentence  remanded to USM**SENTENCING:** Defendant committed to Bureau of Prisons for a period of \_\_\_\_\_  Probation/Supervised Release for \_\_\_\_\_ Special Assessment \$ REMITTED  Fine \$ \_\_\_\_\_  Restitution \$ \_\_\_\_\_

Other: Defense counsel advises the Court that the defendant refuses to sign a Waiver of Removal. Senior Patrol Agent Nick Francescutti, on behalf of the Government, orally moves to dismiss the Complaint against the defendant. Defense counsel has no objection. IT IS ORDERED dismissing the Complaint without prejudice. Case closed.

RECORDED: CS (3 Min)BY: Jocelyn M. Arviso, Deputy Clerk

DATE: 3/20/2008 CASE NUMBER: 08-15498M-001

USA vs. Telesforo Manuel Alvarado-Quintero

U.S. MAGISTRATE JUDGE: JAY R. IRWIN #: 70BK

A.U.S. Attorney \_\_\_\_\_ INTERPRETER Marcia Resler  
LANGUAGE Spanish

Attorney for Defendant Matthew Johnson (AFPD) - Not Present

MATERIAL WITNESS(es): \_\_\_\_\_

MATERIAL WITNESS(es) state true name(s) to be: \_\_\_\_\_

Attorney for Material Witness(es): \_\_\_\_\_

DEFENDANT:  PRESENT  NOT PRESENT  CUSTODY

DOA 3/18/08  Initial Appearance  Appointment of counsel hearing held  
 Financial Afdvt taken  Defendant Sworn  Financial Afdvt sealed  
 Rule 5(c)(3)  Defendant states true name to be \_\_\_\_\_. Further proceedings ORDERED  
in Defendant's true name.

<b>DETENTION HEARING:</b> <input type="checkbox"/> Held <input type="checkbox"/> Con't <input type="checkbox"/> Submitted <input type="checkbox"/> Reset Set for: Before: <input checked="" type="checkbox"/> Defendant ordered temporarily detained in the custody of the United States Marshal <input type="checkbox"/> Defendant ordered released _____ <input type="checkbox"/> Defendant continued detained pending trial <input type="checkbox"/> Flight risk <input type="checkbox"/> Danger	<b>IDENTITY HEARING:</b> <input type="checkbox"/> Held <input type="checkbox"/> Con't <input type="checkbox"/> Submitted <input type="checkbox"/> Reset <input type="checkbox"/> Waived Set for: Before: <input type="checkbox"/> Warrant of removal issued.
<b>PRELIMINARY HEARING:</b> <input type="checkbox"/> Held <input type="checkbox"/> Con't <input type="checkbox"/> Submitted <input type="checkbox"/> Reset <input type="checkbox"/> Waived Set for: Before: <input type="checkbox"/> Probable cause found <input type="checkbox"/> Dismissed <input type="checkbox"/> Held to answer before District Court	<b>STATUS HEARING: re:</b> _____ <input type="checkbox"/> Held <input type="checkbox"/> Con't <input type="checkbox"/> Submitted <input type="checkbox"/> Reset Set for: Before:

Other: Plea and sentence set for 3/24/08 at 11:00 a.m. before Magistrate Judge Irwin.

Recorded by Courtsmart  
BY: Jocelyn M. Arviso  
Deputy Clerk

# United States District Court

SOUTHERN DISTRICT OF CALIFORNIA

3/18

UNITED STATES OF AMERICA

v.

Telesforo Manuel ALVARADO-Quintero  
Citizen of Mexico  
YOB: 1956  
088764523  
Illegal Alien

CRIMINAL COMPLAINT

CASE NUMBER: 08-15498M-SD

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.

## COUNT I

That on or about March 1, 2006, near Andrade, California in the Southern District of California, Defendant Telesforo Manuel ALVARADO-Quintero, an alien, did knowingly and willfully enter the United States at a time or place other than as designated by Immigration Officers of the United States of America, in violation of Title 8, United States Code, Section 1325 (Misdemeanor).

Continued on the attached sheet and made a part hereof.  Yes  No

  
Signature of Complainant

Alfredo Prieto  
Senior Patrol Agent

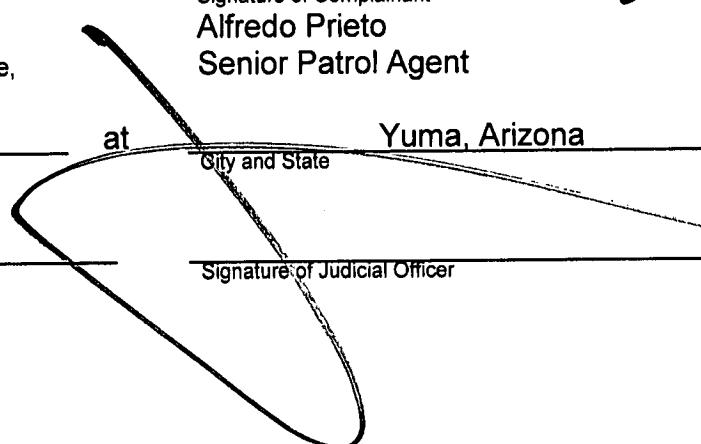
Sworn to before me and subscribed in my presence,

March 20, 2008  
Date

at

Yuma, Arizona

City and State

  
Signature of Judicial Officer

Jay R. Irwin, U.S. Magistrate  
Name & Title of Judicial Officer

## STATEMENT OF FACTUAL BASIS

Defendant: Telesforo Manuel ALVARADO-Quintero

Dependents: 2 Mexican

**IMMIGRATION HISTORY:** The Defendant is an illegal alien and has been apprehended by the U.S. Border Patrol on 4 prior occasions.

**CRIMINAL HISTORY:**

<b><u>DATE LOCATION</u></b>	<b><u>OFFENSE</u></b>	<b><u>DISPOSITION</u></b>
08/28/00 Bakersfield, CA	Driving Under the Influence Driving Under the Influence Blood Alcohol Content .08 Percent or more	No disposition recorded. No disposition recorded.

Narrative: The Defendant, a citizen of Mexico and illegally within the United States, was encountered by Wellton Border Patrol agents near Wellton, Arizona.

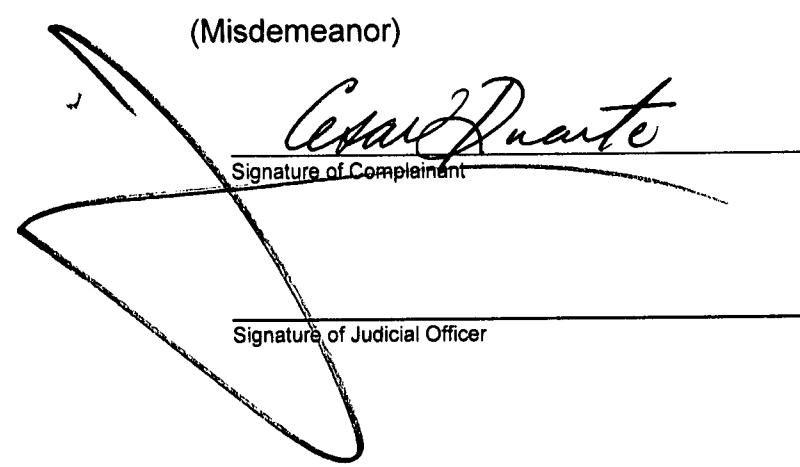
The Defendant was questioned as to his citizenship and immigration status. Agents determined that the Defendant is an undocumented National of Mexico and illegally in the United States.

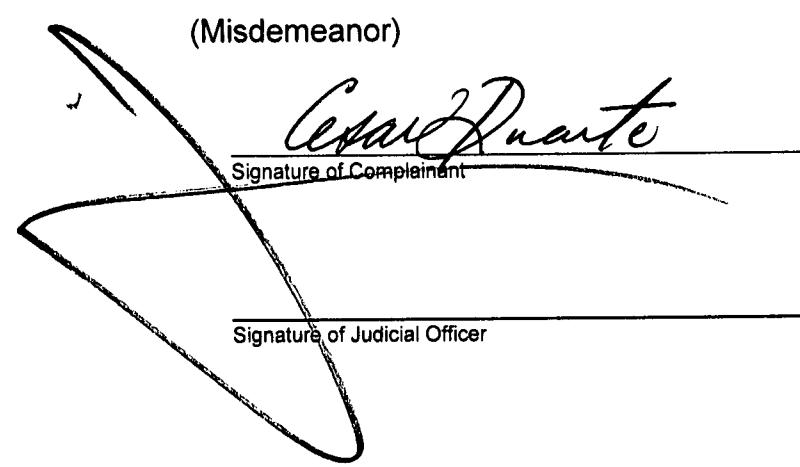
The Defendant was transported to the Wellton station for processing. During processing, questioning and computer record checks the above criminal and immigration information was obtained as it relates to this Defendant.

The Defendant last entered the United States illegally without inspection near Andrade, California on March 1, 2006.

Charges: 8 USC§1325

(Misdemeanor)

  
Signature of Complainant

  
Signature of Judicial Officer

Sworn to before me and subscribed in my presence,

March 20, 2008

Date